



Ohio Administrative Code

Rule 3745-15-06 Malfunction of equipment; scheduled maintenance; reporting.

Effective: July 20, 2015

(A) Scheduled maintenance of air pollution control equipment shall be conducted according to the following:

(1) For the purposes of this rule, maintenance of air pollution control equipment which is scheduled to prevent a malfunction which would occur within two weeks if the maintenance were not performed shall be considered to be a malfunction and shall be subject to the provisions of paragraph (B) of this rule.

(2) Except as otherwise indicated in paragraph (A)(3) of this rule, scheduled maintenance of air pollution control equipment, that requires the shutdown or bypassing of said equipment, must be accompanied by the shutdown of the associated air pollution sources.

(3) In cases where a complete source shutdown may result in damage to the air pollution sources or is otherwise impossible or impractical, the owner or operator may request authorization to continue operating the sources during the scheduled maintenance of air pollution control equipment. Any such request shall be made in a written report at least two weeks prior to the planned shutdown of the air pollution control equipment. The director shall authorize the shutdown of the air pollution control equipment if, in his judgment, the situation justifies continued operation of the sources. Any written report submitted pursuant to this paragraph shall contain the following:

(a) Identification and location of the specific source for which air pollution control equipment will be taken out of service. The identification shall include the Ohio environmental protection agency permit application number.

(b) The expected length of time that the air pollution control equipment will be taken out of service.

(c) The nature and estimated quantity of emissions of air contaminants which are likely to occur during the shutdown period.



(d) Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period.

(e) The reasons that it will be impossible or impractical to shut down the source operation during the scheduled maintenance period.

(f) A demonstration that all feasible interim control measures will be taken to reduce emissions from the source during the shutdown period.

(B) Malfunctions of air pollution control equipment shall be reported as follows:

(1) In the event that any emission source, air pollution control equipment, or related facility breaks down in such a manner as to cause the emission of air contaminants in violation of any applicable law, the person responsible for such equipment shall immediately notify the Ohio environmental protection agency district office or delegate agency of such failure or breakdown. If the malfunction continues for more than seventy-two hours, the source owner or operator shall provide a written statement to the director within two weeks of the date the malfunction occurred. The immediate notification and written statement shall include the following data:

(a) Identification and location of such equipment including the Ohio environmental protection agency permit application number for each air contaminant source.

(b) The estimated or actual duration of breakdown.

(c) The nature and estimated quantity of air contaminants which have been or may be emitted into the ambient air during the breakdown period.

(d) Statements demonstrating the following:

(i) Shutdown or reduction of source operation during the breakdown period will be or would have been impossible or impractical.



(ii) The estimated breakdown period will be or was reasonable in duration based on installation or repair time, delivery dates of equipment, replacement parts, or materials, or current unavailability of essential equipment, parts, or materials.

(iii) Available alternative operating procedures and interim control measures will be or have been implemented during the breakdown period to reduce adverse effects on public health or welfare.

(iv) All actions necessary and required by any applicable preventive maintenance and malfunction abatement plan will be or have been implemented.

(2) The Ohio environmental protection agency district office or delegate agency shall be notified when the condition causing the failure or breakdown has been corrected and the equipment is again in operation. Notification of the correction of the condition causing the failure or breakdown may be given verbally if the duration of the malfunction is seventy-two hours or less. Otherwise, such notification shall be in writing.

(3) Within two months following a failure or breakdown which exceeded seventy-two hours in duration, the owner or operator of such equipment shall prepare and submit a detailed report which identifies a program to prevent, detect and correct, as expeditiously as practicable, similar future failures or breakdowns of such equipment.

(C) The director retains the responsibility to evaluate any report submitted pursuant to this rule. The director shall take appropriate action upon a determination that the reporting requirements of this rule have not been satisfied, that the equipment was not properly operated and maintained prior to breakdown, that shutdown of the source or operation during the period of maintenance or breakdown was or has become practicable, that the shutdown or breakdown was or has become avoidable, or was induced or prolonged in bad faith, or that the emissions endanger or tend to endanger the health or safety of the public.

(D) If, in the judgment of the director, excessive or unduly prolonged malfunctions of any emission source, air pollution control equipment or related facility have occurred, the director may require the owner or operator of said source, equipment or related facility to prepare, submit and implement a preventive maintenance and malfunction abatement plan which is acceptable to the director. Such



plan shall be designed to prevent, detect and correct malfunctions or equipment failures which could result in emissions exceeding any applicable law.

(1) Each preventive maintenance and malfunction abatement plan shall be in writing and specify the following:

(a) A comprehensive preventive maintenance program, including a description of the items or conditions that will be inspected, the frequency of these inspections or repairs, and an identification of the types and quantities of the replacement parts which will be maintained in inventory for quick replacement.

(b) An identification of the source and the operating outlet variables of the air pollution control equipment that will be monitored in order to detect a malfunction or failure, the normal operating range of these variables, and a description of the monitoring or surveillance procedures and of the method of informing operating personnel of any malfunction, including alarm systems, lights or other indicators.

(c) A description of the corrective procedures that will be taken in the event of a malfunction or failure in order to achieve compliance with any applicable law as expeditiously as practicable.

(2) Any acceptable preventive maintenance and malfunction abatement plan shall be specified in the terms and conditions of any permit or variance issued for a source covered by such plan.

(3) Operation and maintenance records shall be maintained by the owner or operator of the source to demonstrate that any preventive maintenance and malfunction abatement plan is fully implemented. All such records shall be maintained for a minimum of two years and shall be subject to inspection by the director or his representative upon request.